

## REMARKS

The Office Action of February 23, 2007 was received and reviewed. The Examiner is thanked for reviewing this application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-3, 5-11, 13-36, 38-44, 46-67, 69-76, 78 and 79 are pending in the instant application with claims 16-33 and 47-62 being withdrawn from consideration. By this amendment, new claims 80-85 have been added to recite additional features to which Applicants are entitled. Claims 1, 7, 34, 39, 63 and 72 are independent.

Referring now to the detailed Office Action, claims 1, 7, 15, 34, 39, 63, and 72 and 2-3, 5-6, 8-11, 13-14, 35-36, 38, 40-44, 46, 64-67, 69-71, 73-76 and 78-79 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki et al. (U.S. Patent No. 6,781,162 – hereafter Yamazaki) in combination with Kihira et al. (U.S. Patent No. 6,631,022 – hereafter Kihira) and Fukui et al. (U.S. Patent No. 5,755,938 – hereafter Fukui) and Danek et al. (U.S. Pat. Pub. 2004/0099215 – hereafter Danek). These rejections are respectfully traversed at least for the reasons provided below.

With respect to independent claims 1, 7, 34, 39, 63 and 72, the Examiner asserts that Yamazaki in combination with Kihira teaches the second film by sputtering but fails to teach that the first film is formed by CVD and the sputtering and CVD processes are performed in the same chamber to form the first and second films. The Examiner further asserts that Fukui teaches forming a plurality of films by CVD and sputtering in the same chamber to prevent exposure to unwanted oxidative atmosphere. (See Abstract of Fukui). The Examiner still further asserts that Danek teaches locating a target film over a metal support or electrode in the chamber to provide current or potential to the target film to provide the deposition of target material. (See paragraph [0114] of Danek).

However, claims 1, 7, 34, 39, 63 and 72 recite, *inter alia*, the features of “forming a first film on an electrode provided in a chamber by a CVD method using a first gas; installing a substrate into the chamber after forming the first film; and forming a second film (a silicon nitride film in claims 7, 39 and 63) over a surface of the substrate by a sputtering method using the first film as a target and a second gas in the chamber.” In other words, the first film formed by the CVD method is used as a target material for forming the

second film by the sputtering method in the same chamber. However, Fukui teaches that contamination in the deposition chamber is removed by carrying out the plasma cleaning after the CVD step, and another film is deposited by the sputtering subsequently (see col. 9, line 49 to col. 10, line 6 of Fukui). Therefore, Fukui teaches away from the feature of the first film formed by the CVD method being used as a target material for forming the second film by the sputtering method, as presently claimed. Thus, it cannot be said that the combination of Yamazaki, Kihira, Fukui and Danek makes the present invention obvious, as claimed.

Danek does not overcome the deficiencies of Yamazaki, Kihira and Fukui, as mentioned above. Therefore, Applicants note that independent claims 1, 7, 34, 39, 63 and 72 are allowable as discussed previously. Any claim that depends from an allowable claim is allowable as well. Thus, Applicants respectfully request that the rejections to the remaining respective dependent claims be removed.

Further, Applicants have added new claims 80-85 to recite the additional feature of providing a magnet on the electrode. Support for this feature can be found at least on page 9, lines 5-7 of the present specification.

In view of the foregoing, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1-3, 5-11, 13-15, 34-36, 38-44, 46, 63-67, 69-76, 78 and 79 be allowed, that new claims 80-85 be allowed, and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,

/Sean A. Pryor, Reg. # 48,103/  
Sean A. Pryor

NIXON PEABODY LLP  
CUSTOMER NO.: 22204  
Suite 900, 401 9<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-2128  
(202) 585-8000